

PROPOSED  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1187  
(Reference to Senate engrossed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 12-108, Arizona Revised Statutes, is amended to read:

12-108. Reports of decisions; publication; distribution

A. The supreme court may contract with the person who agrees to publish and sell the report of decisions on terms most advantageous to the state. The contractor shall agree to publish at the contract price the number of volumes as the supreme court may require. ~~and to deliver the volumes as follows:~~

~~1. To the Arizona state library, archives and public records the number of copies necessary for its use and for exchange with the libraries of other states and countries.~~

~~2. To the law library of the university of Arizona the number of copies necessary for its use and for exchange with the law libraries of other states and countries.~~

~~3. To the law library of Arizona state university the number of copies necessary for its use and for exchange with the law libraries of other states and countries.~~

~~4. To each supreme court justice, court of appeals judge, superior court judge, the clerk of each court, the county attorney and the reporter of decisions of the supreme court, one copy.~~

~~5. To the law library of each county, two copies.~~

~~6. To the department of law, thirty copies.~~

~~7. To the corporation commission, two copies.~~

~~8. To the industrial commission, seven copies.~~

~~9. To the department of public safety, two copies.~~

B. ~~All other agencies, boards, commissions and departments of the state~~ ANY ENTITY may request from the contractor ~~additional~~ ANY NUMBER OF volumes, which shall be published and delivered at the contract price to be paid for by the requesting entity.

C. Volumes that are delivered to a person on account of the office held by that person remain the property of this state and shall have stamped or written on them the name of the office and shall be kept for the use of the office.

~~D. Subject to the availability of funds, the cost of publishing reports of decisions shall be paid from the appropriation to the supreme court. Each entity receiving a volume shall pay the cost of delivery.~~

Sec. 2. Repeal

Section ~~12-116~~, Arizona Revised Statutes, as amended by Laws 2006, chapter 369, section 2, is repealed.

Sec. 3. Section 12-119.01, Arizona Revised Statutes, is amended to read:

12-119.01. Supreme court fees; distribution

A. Except as otherwise provided by law, fees for the supreme court shall be established and classified as follows:

1	Class	Description	Fee
2	A	Initial case filing fee	
3		Petitions for review	
4		and cross petitions for	
5		Review	\$ 140.00
6		Direct appeals and cross	
7		appeal appellant	140.00
8		Special actions petitioner	140.00
9	B	Subsequent case filing fee	
10		Intervenors direct appeals	
11		and special action	\$ 70.00
12		Direct appeals appellee	70.00
13		Special actions respondent	70.00
14		Response to petition	
15		for review	70.00
16	E	Minimum clerk fee	
17		Certifications alone	\$ 17.00
18		Certificate of good standing	
19		Certificates	17.00
20	F	Per page fee	
21		Copies - each page	\$ .50
22	G	Special fees	
23		New and duplicate certificates	\$ 35.00

24 B. The clerk of the supreme court shall deposit, pursuant to sections  
25 35-146 and 35-147, all of the monies collected pursuant to subsection A of  
26 this section as follows:

27 1. 27.78 per cent in the judicial collection enhancement fund  
28 established by section 12-113.

29 2. 26.00 per cent with the state treasurer for transmission to the  
30 elected officials' retirement plan fund established by section 38-802. The  
31 monies shall be transmitted by the state treasurer to the fund pursuant to  
32 section 38-810.

33 3. 46.22 per cent in the state general fund.

34 C. THE SUPREME COURT MAY INCREASE THE CLASS A AND B FEES PRESCRIBED IN  
35 SUBSECTION A OF THIS SECTION.

36 Sec. 4. Section 12-121, Arizona Revised Statutes, is amended to read:

37 12-121. Number of judges; petition for approval of additional  
38 judges

39 A. In each county of the state there shall be a superior court for  
40 which at least one judge shall be elected. ~~In each county having a census~~  
41 ~~enumeration greater than thirty thousand inhabitants, and upon~~ ON petition by  
42 the board of supervisors of ~~such~~ THE county to the governor and ~~his~~ ON THE  
43 GOVERNOR'S approval ~~thereof~~ OF THE PETITION, ~~there shall be~~ an additional  
44 judge ~~OR JUDGES of the superior court for each thirty thousand inhabitants,~~  
45 ~~or majority fraction thereof, or the additional judge of the superior court~~  
46 ~~may~~ SHALL be authorized, ~~based on the procedure prescribed by the terms of~~  
47 ~~subsections B and C~~ BUT THE NUMBER OF JUDGES AUTHORIZED SHALL NOT EXCEED ONE  
48 JUDGE FOR EACH THIRTY THOUSAND INHABITANTS OR MAJORITY FRACTION THEREOF.

~~B. Upon petition by the board of supervisors of a county to the governor and his approval thereof, there shall be an additional judge of the superior court provided that the board of supervisors has determined, as prescribed in subsection C, that the county has acquired since the last census enumeration the required number of inhabitants for an additional judge as provided in subsection A.~~

~~C. The determination of the board of supervisors shall be based on, but not limited to, recent estimates of population, if any, of any area within the county issued by the bureau of the census, auto registrations, nonagricultural employment, gross utility revenues and retail sales.~~

~~D.~~ B. Additional judges authorized by ~~the terms of~~ this section shall be appointed or elected as provided by law.

Sec. 5. Section 12-267, Arizona Revised Statutes, is amended to read:

12-267. Adult probation services fund; accounts; expenditure plan; use

A. The board of supervisors shall designate a chief fiscal officer who shall establish and administer an adult probation services fund consisting of:

1. County general fund appropriations for adult probation.

2. State appropriations for adult probation including:

(a) Monies for adult probation officers authorized by article 6 of this chapter.

(b) Monies for state aid for adult probation services authorized by this article.

(c) Monies for adult community punishment programs established pursuant to article 11 of this chapter.

(d) Monies for adult intensive probation pursuant to title 13, chapter 9.

3. Probation fees collected pursuant to section 13-901 **AND SECTION 13-902, SUBSECTION G.**

4. Federal monies provided for adult probation.

5. Adult probation monies from any other source.

B. The chief fiscal officer shall establish and maintain separate accounts in the fund showing receipts and expenditures of monies from each source listed in subsection A of this section. The presiding judge of the superior court shall annually present to the board of supervisors for approval a detailed expenditure plan for the adult probation services fund accounts. Any modifications to the expenditure plan affecting state appropriations shall be made in accordance with the rules and procedures established by the supreme court. Any modifications to the expenditure plan affecting county appropriated funds shall be made in accordance with the policies established by the county. The chief fiscal officer shall disburse monies from the fund accounts only at the direction of the presiding judge of the superior court. The chief fiscal officer of each county ~~shall~~, on or before August 31 of each year for the preceding fiscal year, **SHALL** submit an annual report to the supreme court showing the total amount of receipts and expenditures in each account of the adult probation services fund.

C. The state monies in the adult probation services fund, **AND PROBATION FEES COLLECTED PURSUANT TO SECTION 13-901 AND SECTION 13-902,**

1       SUBSECTION G, shall be used in accordance with guidelines established by the  
2       supreme court or the granting authority.

3       D. State monies expended from the adult probation services fund shall  
4       be used to supplement, not supplant, county appropriations for the superior  
5       court adult probation department.

6       E. Up to twenty-five thousand dollars annually deposited in the adult  
7       probation services fund shall be used to pay the annual assessment on member  
8       states of the interstate compact for the supervision of adult offenders  
9       established in section 31-467, ARTICLE X, subsection B.

10      F. County monies in the adult probation services fund shall be used in  
11      accordance with the fiscal policies and procedures established by the board  
12      of supervisors.

13      G. THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL PERIODICALLY CHARGE  
14      EACH LOCAL PROBATION FEES ACCOUNT AN AMOUNT ESTABLISHED ANNUALLY BY THE  
15      SUPREME COURT TO COVER A PROPORTIONAL SHARE OF THE COST OF MONITORING DEVICES  
16      REQUIRED PURSUANT TO SECTION 13-902, SUBSECTION G CONSISTENT WITH GUIDELINES  
17      ESTABLISHED TO IMPLEMENT SECTION 13-902, SUBSECTION G.

18      Sec. 6. Section 12-269, Arizona Revised Statutes, is amended to read:

19      12-269. Probation funding; counties with a population of two  
20               million or more persons; surcharge; support services;  
21               limitation

22      A. The administrative office of the courts shall not disburse any  
23      direct state aid for probation services monies, including motor pool costs,  
24      that are appropriated for juvenile intensive probation services pursuant to  
25      section 8-353, state aid for probation services pursuant to section 12-262,  
26      adult intensive probation pursuant to title 13, chapter 9 and community  
27      punishment programs pursuant to article 11 of this chapter to a county with a  
28      population of two million or more persons.

29      B. A county with a population of two million or more persons shall  
30      maintain probation standards that are otherwise prescribed by law, except  
31      that the probation ratios that are listed in sections 8-203, 8-353, 12-251  
32      and 13-916 do not apply. The county shall maintain appropriate ratios of  
33      officers to probationers consistent with evidence based practices in  
34      differentiated case management and shall annually report its performance to  
35      the chief justice of the Arizona supreme court, the speaker of the house of  
36      representatives and the president of the senate on or before October 1 of  
37      each year. The annual report shall include, for each probation program, the  
38      rate of successful completion of probation, the rate of new felony  
39      convictions and the rate of commitment to the state department of corrections  
40      or the department of juvenile corrections.

41      C. In lieu of the surcharge prescribed in section 12-114.01 and in  
42      addition to any other penalty assessment provided by law, a county with a  
43      population of two million or more persons shall levy a probation surcharge in  
44      an amount determined by the county on every fine, penalty and forfeiture  
45      imposed and collected by the superior, justice and municipal courts for  
46      criminal offenses and any civil penalty imposed and collected for a civil  
47      traffic violation and fine, penalty or forfeiture for a violation of the  
48      motor vehicle statutes, for a violation of any local ordinance relating to

the stopping, standing or operation of a vehicle, except parking violations, or for a violation of the game and fish statutes in title 17.

D. The monies collected pursuant to this section shall be deposited, pursuant to sections 35-146 and 35-147, in the adult probation services fund established by section 12-267 or in the juvenile probation fund established by section 12-268 in such proportion as determined by the board of supervisors.

E. For the purposes of sections 12-267 and 12-268, in a county with a population of two million or more persons, probation fees under section 13-901 and probation surcharges under this section are not state appropriations.

F. ~~Notwithstanding any other provision of this section,~~ The administrative office of the courts shall ONLY provide centralized support services to ~~all~~ counties WITH A POPULATION OF LESS THAN TWO MILLION PERSONS from monies that are provided for probation programs.

Sec. 7. Section 12-284, Arizona Revised Statutes, as amended by Laws 2008, chapter 80, section 5, is amended to read:

12-284. Fees

A. Except as otherwise provided by law, the clerk of the superior court shall receive fees classified as follows:

Class	Description	Fee
A	Initial case filing fee	
	Tax case	<del>\$115.00</del> 166.00
	Filing complaint or petition	<del>115.00</del> 166.00
	Filing intervenor	<del>115.00</del> 166.00
	Additional plaintiffs	<del>115.00</del> 166.00
	Filing foreign judgment	<del>115.00</del> 166.00
	Ownership of real property becomes an	
	issue plaintiff	<del>115.00</del> 166.00
	Appellant	
	(except under sections 12-1809 and 13-3602)	<del>115.00</del> 166.00
	Change of venue to this county	<del>115.00</del> 166.00
	Petition for change of name	<del>115.00</del> 166.00
	Filing a process server application	<del>115.00</del> 166.00
B	Subsequent case filing fee	
	Filing answer or initial appearance	\$ <del>61.00</del> 88.00
	Additional defendants	<del>61.00</del> 88.00
	Notice of appeal to appellate courts	
	(except under section 12-2107)	<del>61.00</del> 88.00
	Cross-appeal by appellee (except under section	
	12-2107)	<del>61.00</del> 88.00
	Ownership of real property becomes an	
	issue defendant	<del>61.00</del> 88.00
	Jurisdiction exceeded appellee	
	(within 20 days of filing)	<del>61.00</del> 88.00
	Response to show cause that does one or more	
	of the following:	
	1. Requests affirmative relief or	
	counterrelief	

1	2. Attacks the sufficiency of process		
2	or the proceedings		
3	3. Takes other affirmative action	<del>61.00</del>	88.00
4	C Initial case filing fee		
5	Filing petition for annulment	\$ <del>91.00</del>	131.00
6	Filing for dissolution/legal separation petition	<del>91.00</del>	131.00
7	Petition in formal testacy or appointment		
8	proceeding	<del>91.00</del>	131.00
9	Application for informal probate or informal		
10	appointment	<del>91.00</del>	131.00
11	Petition for supervised administration petition		
12	to appoint guardian	<del>91.00</del>	131.00
13	Petition to appoint conservator or make other		
14	protective order	<del>91.00</del>	131.00
15	Opposing petition in testacy or appointment		
16	proceedings or appointment of guardian or		
17	conservator	<del>91.00</del>	131.00
18	Single estate application or petition under		
19	title 14, chapter 3, section 14-3938	<del>91.00</del>	131.00
20	Domestic relations case for which a fee is not		
21	specifically prescribed	<del>91.00</del>	131.00
22	D Subsequent case filing fee		
23	Filing answer to annulment	\$ <del>46.00</del>	66.00
24	Filing for dissolution/legal separation answer	<del>46.00</del>	66.00
25	Any person opposing contested petition if no		
26	prior payment made	<del>46.00</del>	66.00
27	Postadjudication petitions in		
28	domestic relations cases	<del>46.00</del>	66.00
29	Postjudgment activities in probate cases	<del>46.00</del>	66.00
30	E Minimum clerk fee		
31	Filing power of attorney	\$ <del>18.00</del>	26.00
32	Change of venue to another county transmittal		
33	fee	<del>18.00</del>	26.00
34	Change of venue to another county pursuant to		
35	section 12-404 transmittal fee	<del>18.00</del>	26.00
36	Filing transcript and docketing judgment from		
37	any courts	<del>18.00</del>	26.00
38	Issuance of writs of: attachment, execution,		
39	possession, restitution, prohibition and		
40	enforcement of order of judgment-garnishment	<del>18.00</del>	26.00
41	Certified copy or abstract of marriage		
42	application or license	<del>18.00</del>	26.00
43	Certificate of correctness of copy of record	<del>18.00</del>	26.00
44	Justice of peace certificate	<del>18.00</del>	26.00
45	Each certificate of clerk to any matter in		
46	clerk's record not specifically provided	<del>18.00</del>	26.00
47	Filing any paper or performing any act for which		
48	a fee is not specifically prescribed	<del>18.00</del>	26.00
49	Subpoena - (civil)	<del>18.00</del>	26.00

1	Research in locating a document (per year or		
2	source researched)	<del>18.00</del>	26.00
3	Exemplification (per certification)	<del>18.00</del>	26.00
4	Authentication (per certification)	<del>18.00</del>	26.00
5	Seal a court file	<del>18.00</del>	26.00
6	Reopen a sealed court file	<del>18.00</del>	26.00
7	Retrieve bank records	<del>18.00</del>	26.00
8	Reel of film alpha index per year (plus per		
9	page fee below)	<del>18.00</del>	26.00
10	Payment history report	<del>18.00</del>	26.00
11	Certification under one document certification	<del>18.00</del>	26.00
12	Civil traffic appeal	<del>18.00</del>	26.00
13	F Per page fee		
14	Making copies (on appeal and on request)		
15	per page	\$ .50	
16	Making extra copies per page	.50	
17	Making photographic or photostatic copies		
18	per page	.50	
19	Comparison fee of papers furnished by applicant		
20	per page	.50	
21	Alpha index per page	.50	
22	G Special fees		
23	Small claim tax case	\$ <del>15.00</del>	22.00
24	Marriage license and return of a		
25	marriage license	<del>50.00</del>	72.00
26	Postage and handling	<del>5.00</del>	7.00
27	Notary services	<del>5.00</del>	7.00
28	Stop payment on check	<del>10.00</del>	14.00

29 B. The clerk of the superior court shall receive the fees prescribed  
30 in subsection A of this section for the following services:

31 1. Making copies of papers and records required to be made by the  
32 clerk on appeal, and copies of papers and records in the clerk's office made  
33 on request in other cases, for each legal size page of original.

34 2. Making extra copies of the papers and records mentioned in  
35 paragraph 1 of this subsection, required or requested for each page of copy  
36 of such papers and records.

37 3. In a clerk's office, in which a photographic or photostatic method  
38 of recording is used or is available for use in cooperation with other public  
39 offices, preparing copies enumerated in paragraphs 1 and 2 of this subsection  
40 for each page of copy or fraction of a page of copy. Portions of several  
41 pages of records may be combined in one page of copy. The clerk may prepare  
42 an abstract of marriage in lieu of a reproduction of the recorded marriage  
43 license. The fee shall apply to matters whether recorded in such office by  
44 longhand, typing, electronic, photographic or photostatic methods. The fees  
45 for copies are exclusive of the fees for certification or authentication.

46 4. Issuing a certificate as to official capacity of a justice of the  
47 peace and affixing a seal to the certificate.

48 5. Each subpoena issued in a civil proceeding or filing any paper or  
49 performing any act for which a fee is not specifically prescribed by law, but

1 the clerk shall not charge for the clerk's services in administering the oath  
2 in connection with any affidavit, petition, letters or other pleading or  
3 document which, after administration of the oath therefor, is promptly filed  
4 by the clerk and becomes a part of a case or matter of record in the office  
5 of the clerk.

6 C. In addition to the fees required by subsection A of this section,  
7 the clerk shall charge and collect a surcharge of fifteen dollars for each  
8 filing of a postadjudication petition in a domestic relations case for which  
9 a fee presently is charged under class D in subsection A of this section.  
10 The surcharge shall be used exclusively to fund domestic relations education  
11 and mediation programs established pursuant to section 25-413. Each month  
12 the clerk shall transmit the monies the clerk collects pursuant to this  
13 subsection to the county treasurer for deposit in the domestic relations  
14 education and mediation fund established by section 25-413.

15 D. Excluding the monies that are collected pursuant to subsection C of  
16 this section, each month the clerk shall transmit seventy-five per cent of  
17 the monies collected for subsequent case filing fees for postadjudication  
18 petitions in domestic relations cases under class D in subsection A of this  
19 section to the county treasurer for deposit in the expedited child support  
20 and parenting time fund established pursuant to section 25-412. The  
21 remaining twenty-five per cent of the monies collected pursuant to this  
22 subsection shall be distributed pursuant to section 12-284.03.

23 E. At the commencement of each action for annulment, dissolution of  
24 marriage, legal separation, maternity or paternity, the petitioner shall pay  
25 to the clerk of the court the initial case filing fee for the action provided  
26 in subsection A of this section. At the time of filing a response, the  
27 respondent shall pay to the clerk of the court the subsequent case filing fee  
28 for the action provided in subsection A of this section. In each county  
29 where the superior court has established a conciliation court, the petitioner  
30 and respondent shall each pay to the clerk a sixty-five dollar fee. The  
31 monies from the additional fee shall be used to carry out the purposes of the  
32 conciliation court pursuant to title 25, chapter 3, article 7.

33 F. In garnishment matters:

34 1. A fee shall not be charged for filing an affidavit seeking only the  
35 release of exempt wages.

36 2. A fee shall not be charged for filing a garnishee's answer, for  
37 filing a judgment against the garnishee or for the issuance or return of  
38 process incident to such a judgment.

39 3. For any contest relating to or any controversion of a garnishment  
40 matter, unless the contesting party has paid an appearance fee in that cause,  
41 the required appearance fee shall be paid, except that the garnishee shall  
42 not pay a clerk's fee.

43 G. A person who is cited to appear and defend an order to show cause  
44 shall not be charged an appearance fee. The person may stipulate to or  
45 consent to the entry of an order without the payment of an appearance  
46 fee. An appearance fee shall be paid if the person is present in person or  
47 by an attorney and does one or more of the following:

48 1. Requests affirmative relief or counterrelief.

49 2. Attacks the sufficiency of process or the proceedings.



1           3. Takes other affirmative action.

2           H. A petitioner shall not be charged a fee for requesting an order of  
3 protection pursuant to section 13-3602 or an injunction against harassment  
4 pursuant to section 12-1809. A defendant shall not be charged an answer fee  
5 in an order of protection action if the defendant requests a hearing pursuant  
6 to section 13-3602, subsection I or in an injunction against harassment  
7 action if the defendant requests a hearing pursuant to section 12-1809,  
8 subsection H.

9           I. A person who files a registrar's order pursuant to section  
10 32-1166.06 shall not be charged a fee.

11           J. The clerk of the court shall charge and collect a forty-six dollar  
12 filing fee for a petition for emancipation of a minor filed pursuant to  
13 chapter 15 of this title. Each month the clerk shall transmit the monies the  
14 clerk collects pursuant to this subsection to the county treasurer for  
15 deposit in the emancipation administrative costs fund established by section  
16 12-2456.

17           K. Except for monies that are collected pursuant to subsections C, D,  
18 E and J of this section, the clerk of the superior court shall transmit  
19 monthly to the county treasurer all monies collected pursuant to this section  
20 for distribution or deposit pursuant to section 12-284.03.

21           L. THE SUPREME COURT MAY INCREASE THE FEES PRESCRIBED IN SUBSECTION A  
22 OF THIS SECTION IN AN AMOUNT NOT TO EXCEED THE PER CENT OF CHANGE IN THE  
23 AVERAGE CONSUMER PRICE INDEX AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF  
24 LABOR, BUREAU OF LABOR STATISTICS BETWEEN THAT FIGURE FOR THE LATEST CALENDAR  
25 YEAR AND THE CALENDAR YEAR IN WHICH THE LAST FEE INCREASE OCCURRED.

26           Sec. 8. Section 13-902, Arizona Revised Statutes, is amended to read:

27           13-902. Periods of probation; monitoring; fees

28           A. Unless terminated sooner, probation may continue for the following  
29 periods:

- 30           1. For a class 2 felony, seven years.
- 31           2. For a class 3 felony, five years.
- 32           3. For a class 4 felony, four years.
- 33           4. For a class 5 or 6 felony, three years.
- 34           5. For a class 1 misdemeanor, three years.
- 35           6. For a class 2 misdemeanor, two years.
- 36           7. For a class 3 misdemeanor, one year.

37           B. Notwithstanding subsection A of this section, unless terminated  
38 sooner, probation may continue for the following periods:

- 39           1. For a violation of section 28-1381 or 28-1382, five years.
- 40           2. For a violation of section 28-1383, ten years.

41           C. When the court has required, as a condition of probation, that the  
42 defendant make restitution for any economic loss related to the defendant's  
43 offense and that condition has not been satisfied, the court at any time  
44 before the termination or expiration of probation may extend the period  
45 within the following limits:

- 46           1. For a felony, not more than five years.
- 47           2. For a misdemeanor, not more than two years.

D. Notwithstanding any other provision of law, justice courts and municipal courts may impose the probation periods specified in subsection A, paragraphs 5, 6 and 7 and subsection B, paragraph 1 of this section.

E. After conviction of a felony offense or an attempt to commit any offense that is included in chapter 14 or 35.1 of this title or section 13-2308.01, 13-2923 or 13-3623, if probation is available, probation may continue for a term of not less than the term that is specified in subsection A of this section up to and including life and that the court believes is appropriate for the ends of justice.

F. After conviction of a violation of section 13-3824, subsection A, if a term of probation is imposed and the offense for which the person was required to register was a felony, probation may continue for a term of not less than the term that is specified in subsection A of this section up to and including life and that the court believes is appropriate for the ends of justice.

G. ~~Beginning November 1, 2006,~~ After conviction of a dangerous crime against children as defined in section 13-604.01, if a term of probation is imposed, the court shall require global position system monitoring for the duration of the term of probation. ~~THE COURT MAY IMPOSE A FEE ON THE PROBATIONER TO OFFSET THE COST OF THE MONITORING DEVICE REQUIRED BY THIS SUBSECTION. THE FEE SHALL BE DEPOSITED IN THE ADULT PROBATION SERVICES FUND PURSUANT TO SECTION 12-267, SUBSECTION A, PARAGRAPH 3.~~

Sec. 9. Section 22-281, Arizona Revised Statutes, is amended to read:

22-281. Fees and deposits

A. Justices of the peace shall receive fees established and classified as follows in civil actions:

Class	Description	Fee
A	Initial case filing fee	
	Civil filing fees	\$ <del>45.00</del> 65.00
B	Subsequent case filing fee	
	Civil filing fees - defendant	\$ <del>24.00</del> 35.00
C	Initial case filing fee	
	Forcible entry and detainer filings	\$ <del>21.00</del> 30.00
	Small claims filing	<del>16.00</del> 23.00
D	Subsequent case filing fee	
	Small claims answer	\$ <del>9.00</del> 13.00
	Forcible entry and detainer filings - defendant	<del>11.00</del> 16.00
E	Minimum clerk fee	
	Document and transcript transfer on appeal	\$ <del>17.00</del> 24.00
	Certification of any documents	<del>17.00</del> 24.00
	Issuance of writs	<del>17.00</del> 24.00
	Filing any paper or performing any act for which a fee is not specifically prescribed	<del>17.00</del> 24.00
	Subpoena (civil)	<del>17.00</del> 24.00
	Research in locating a document	<del>17.00</del> 24.00
	Seal a court file	<del>17.00</del> 24.00
	Reopen a sealed court file	<del>17.00</del> 24.00
	Record duplication	<del>17.00</del> 24.00

F Per page fee  
Copies of any documents per page \$ 0.50

G Special fees  
Small claims service by mail \$ 8.00

B. This section does not deprive the parties to the action of the privilege of depositing amounts with the justice, in addition to those set forth in this section, for use in connection with the payment of constable's and sheriff's fees for service of process, levying of writs and other services for which fees are otherwise provided by law.

C. Excluding the monies that are kept by the court pursuant to subsection D of this section, justices of the peace shall transmit monthly to the county treasurer all monies collected pursuant to subsection A of this section. The county treasurer shall distribute or deposit all of the monies received pursuant to this subsection as follows:

1. ~~18.39 per cent~~ To the state treasurer for deposit in the judicial collection enhancement fund established by section 12-113~~—~~, IN THE FOLLOWING PERCENTAGES:

(a) 14.02 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS.

(b) 15.58 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR LESS.

2. ~~2.42 per cent~~ To the state treasurer for deposit in the alternative dispute resolution fund established by section 12-135~~—~~, IN THE FOLLOWING PERCENTAGES:

(a) 1.84 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS.

(b) 2.05 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR LESS.

3. TO THE ELECTED OFFICIALS' RETIREMENT PLAN FUND ESTABLISHED BY SECTION 38-802, EITHER OF THE FOLLOWING PERCENTAGES, WHICH SHALL BE DISTRIBUTED TO THE FUND PURSUANT TO SECTION 38-810:

(a) 23.79 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS.

(b) 15.30 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR LESS.

~~3.~~ 4. ~~71.15 per cent~~ To the county general fund~~—~~, IN THE FOLLOWING PERCENTAGES:

(a) 54.22 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS.

(b) 60.26 PER CENT IF THE COUNTY TREASURER IS SERVING IN A COUNTY WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR LESS.

D. ~~8.04~~ IN COUNTIES WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS, 6.13 per cent of the monies transmitted pursuant to subsection C of this section shall be kept and used by the court collecting the fees in the same manner as the seven dollars of the time payment fee prescribed by section 12-116, subsection B.

E. IN COUNTIES WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR LESS, 6.81 PER CENT OF THE MONIES TRANSMITTED PURSUANT TO SUBSECTION C OF THIS SECTION SHALL BE KEPT AND USED BY THE COURT COLLECTING THE FEES IN THE

1 SAME MANNER AS THE SEVEN DOLLARS OF THE TIME PAYMENT FEE PRESCRIBED BY  
2 SECTION 12-116, SUBSECTION B.

3 F. THE SUPREME COURT MAY INCREASE THE FEES PRESCRIBED IN SUBSECTION A  
4 OF THIS SECTION IN AN AMOUNT NOT TO EXCEED THE PER CENT OF CHANGE IN THE  
5 AVERAGE CONSUMER PRICE INDEX AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF  
6 LABOR, BUREAU OF LABOR STATISTICS BETWEEN THAT FIGURE FOR THE LATEST CALENDAR  
7 YEAR AND THE CALENDAR YEAR IN WHICH THE LAST FEE INCREASE OCCURRED.

8 Sec. 10. Section 38-810, Arizona Revised Statutes, as amended by Laws  
9 2008, chapter 80, section 10, is amended to read:

10 38-810. Contributions

11 A. Each member shall contribute to the fund an amount equal to seven  
12 per cent of the member's gross salary. Contributions of members shall be  
13 made by payroll deductions. Every member is deemed to consent to these  
14 deductions. Payment of a member's compensation, less these payroll  
15 deductions, constitutes a full and complete discharge and satisfaction of all  
16 claims and demands by the member relating to remuneration for the member's  
17 services rendered during the period covered by the payment, except with  
18 respect to the benefits provided under the plan.

19 B. The fund manager's office shall be credited monthly with monies  
20 collected pursuant to section 12-119.01, subsection B, paragraph 2, section  
21 12-120.31, subsection D, paragraph 2, section 12-284.03, subsection A,  
22 paragraph 6, SECTION 22-281, SUBSECTION C, PARAGRAPH 3 and section 41-178.  
23 The monies credited to the fund pursuant to this subsection shall be  
24 deposited in the fund on a monthly basis, and there shall be a complete  
25 accounting of the determination of these monies deposited in the fund.

26 C. As determined by actuarial valuations performed by the plan's  
27 actuary, each employer shall make level per cent compensation contributions  
28 sufficient under the actuarial valuation to meet both the normal cost plus  
29 the actuarially determined amount required to amortize the unfunded accrued  
30 liability over, beginning July 1, 2005, a rolling period of at least twenty  
31 and not more than thirty years that is established by the fund manager taking  
32 into account the recommendation of the plan's actuary, except that, beginning  
33 with fiscal year 2006-2007, the employer contribution rate shall not be less  
34 than ten per cent of salary. The monies deposited in the fund pursuant to  
35 subsection B of this section shall be used to reduce the contributions  
36 required of state and county employers only. Employers that entered the  
37 system under a joinder agreement shall also contribute an amount equal to the  
38 unfunded accrued liability for that employer. The unfunded liability for  
39 each new employer shall be actuarially determined by the plan's actuary as of  
40 the effective date of participation of each employer and shall be payable on  
41 the effective date of participation. The minimum employer contribution that  
42 is paid and that is in excess of the normal cost plus the actuarially  
43 determined amount required to amortize the unfunded accrued liability as  
44 calculated pursuant to this subsection shall be used to reduce future  
45 employer contribution increases and shall not be used to pay for an increase  
46 in benefits that are otherwise payable to members. The fund manager shall  
47 separately account for these monies in the fund. After the close of any  
48 fiscal year, if the plan's actuary determines that the actuarial valuation of  
49 the fund contains excess valuation assets and is more than one hundred per

1 cent funded, the fund manager shall account for fifty per cent of the excess  
2 valuation assets in a stabilization reserve account. After the close of any  
3 fiscal year, if the plan's actuary determines that the actuarial valuation of  
4 the fund has a valuation asset deficiency and an unfunded actuarial accrued  
5 liability, the fund manager shall use any valuation assets in the  
6 stabilization reserve account, to the extent available, to limit the decline  
7 in the fund's funding ratio to not more than two per cent.

8 D. The department of administration and the treasurer of each county  
9 and participating city and town shall transfer to the fund manager the  
10 contributions provided for in subsections A and C of this section within ten  
11 working days after each payroll date. The state, county treasurers and  
12 clerks of the superior court shall transfer the monies credited under  
13 subsection B of this section to the fund manager on or before the fifteenth  
14 day of each calendar month that follows the month in which the court fees  
15 were collected. Contributions and monies credited under subsection B of this  
16 section and transferred after these dates shall include a penalty equal to  
17 ten per cent ~~per-annum~~ A YEAR, compounded annually, for each day that the  
18 contributions or monies credited under subsection B of this section are late.  
19 Delinquent payments due under this subsection, together with interest charges  
20 as provided in this subsection and court costs, may be recovered by action in  
21 a court of competent jurisdiction against the person or persons responsible  
22 for the payments or, at the request of the fund manager, may be deducted from  
23 any other monies including excise revenue taxes payable to a political  
24 subdivision by any department or agency of this state. If requested by the  
25 fund manager, the state, county treasurers or clerks of the superior court  
26 shall transfer the monies credited under subsection B of this section, in an  
27 amount determined by the fund manager, directly to the qualified governmental  
28 excess benefit arrangement established pursuant to section 38-803.01.

29 E. The employer shall pay the member contributions required of  
30 members on account of compensation earned after August 7, 1985. The paid  
31 contributions shall be treated as employer contributions for the purpose of  
32 determining tax treatment under the United States internal revenue code. The  
33 effective date of the employer payment shall not be before the date the  
34 retirement plan has received notification from the United States internal  
35 revenue service that pursuant to section 414(h) of the United States internal  
36 revenue code the member contributions paid will not be included in gross  
37 income for income tax purposes until the paid contributions are distributed  
38 by refund or pension payments. The employer shall pay the member  
39 contributions from monies established and available in the retirement  
40 deduction account, which monies would otherwise have been designated as  
41 member contributions and paid to the retirement plan. Member contributions  
42 paid pursuant to this subsection shall be treated for all other purposes, in  
43 the same manner and to the same extent, as member contributions made before  
44 August 7, 1985.

1           Sec. 11. Section 41-1771, Arizona Revised Statutes, is amended to  
2 read:

3           41-1771. Scientific criminal analysis section; crime laboratory  
4                                   services

5           A. There shall be a scientific criminal analysis section, staffed by a  
6 superintendent and other necessary personnel, and established for the purpose  
7 of giving assistance to the officers of the state charged with law  
8 enforcement.

9           B. THE DEPARTMENT MAY CHARGE ANOTHER LAW ENFORCEMENT AGENCY FOR ANY  
10 CRIME LABORATORY SERVICES PERFORMED ON BEHALF OF THE AGENCY.

11          Sec. 12. Laws 2000, chapter 193, section 598, as amended by Laws 2001,  
12 chapter 8, section 2, Laws 2002, chapter 291, section 17, Laws 2004, chapter  
13 69, section 5 and Laws 2006, chapter 369, section 12, is amended to read:

14          Sec. 598. Effective date

15          ~~A. Section 12-116, Arizona Revised Statutes, as amended by Laws 1999,~~  
16 ~~chapter 175, section 6, Laws 2000, chapter 193, section 94, Laws 2004,~~  
17 ~~chapter 69, section 3 and this act is effective from and after December 31,~~  
18 ~~2009.~~

19          ~~B.~~ A. Section 42-1201, Arizona Revised Statutes, as amended by Laws  
20 1999, chapter 250, section 7 and this act is effective from and after  
21 December 31, 2000.

22          ~~C.~~ B. Section 49-203, Arizona Revised Statutes, as amended by Laws  
23 1999, chapter 26, section 5 and this act is effective from and after December  
24 31, 2000.

25          ~~D.~~ C. Section 49-361, Arizona Revised Statutes, as amended by Laws  
26 1999, chapter 26, section 17 and this act is effective from and after  
27 December 31, 2000.

28          Sec. 13. Laws 2000, chapter 193, section 599, as amended by Laws 2001,  
29 chapter 8, section 3, Laws 2002, chapter 291, section 18, Laws 2004, chapter  
30 69, section 6 and Laws 2006, chapter 369, section 13, is amended to read:

31          Sec. 599. Delayed repeal

32          ~~A. Section 12-116, Arizona Revised Statutes, as amended by Laws 1997,~~  
33 ~~chapter 79, section 7, Laws 2000, chapter 193, section 93, Laws 2004, chapter~~  
34 ~~69, section 2 and this act is repealed from and after December 31, 2009.~~

35          ~~B.~~ A. Section 42-1201, Arizona Revised Statutes, as amended by Laws  
36 1998, chapter 1, section 144 and this act is repealed from and after December  
37 31, 2000.

38          ~~C.~~ B. Section 49-203, Arizona Revised Statutes, as amended by Laws  
39 1996, chapter 194, section 5, chapter 351, section 39 and this act is  
40 repealed from and after December 31, 2000.

41          Sec. 14. State department of corrections budget structure

42          Notwithstanding any other law, the state department of corrections  
43 shall report actual fiscal year 2007-2008, estimated fiscal year 2008-2009  
44 and requested fiscal year 2009-2010 expenditures for each line item  
45 delineated in the fiscal year 2008-2009 general appropriations act when the  
46 department submits the fiscal year 2009-2010 budget request pursuant to  
47 section 35-113, Arizona Revised Statutes. The information submitted for each  
48 line item shall contain as much detail as submitted in previous years for  
49 prior line items.

1           Sec. 15. Criminal justice enhancement fund; state general fund  
2                           deposit; crime laboratory assessment fund

3           Notwithstanding any other law, for fiscal year 2008-2009, any monies  
4 distributed from the criminal justice enhancement fund pursuant to section  
5 41-2401, subsection D, paragraph 11, Arizona Revised Statutes, shall be  
6 deposited in the crime laboratory assessment fund established by section  
7 41-2415, Arizona Revised Statutes. Notwithstanding section 41-2415,  
8 subsection C, Arizona Revised Statutes, monies distributed by this section  
9 pursuant to section 41-2401, subsection D, paragraph 11, Arizona Revised  
10 Statutes, are for use by the department of public safety and are exempt from  
11 distribution to political subdivisions.

12           Sec. 16. Justices of the peace; payment of compensation; fiscal  
13                           year 2007-2008

14           Notwithstanding section 22-117, subsection B, Arizona Revised Statutes,  
15 for fiscal year 2008-2009, the state shall pay 38.5 per cent of the  
16 compensation and employee-related expenditures of a justice of the peace and  
17 the county shall pay 61.5 per cent of the compensation and employee-related  
18 expenditures of a justice of the peace, except that the county shall pay the  
19 full amount of the employer contribution of the state retirement system or  
20 plan or any county health plan.

21           Sec. 17. Consumer fraud revolving fund; attorney general; use

22           Notwithstanding section 44-1531.01, subsection C, Arizona Revised  
23 Statutes, for fiscal year 2008-2009, the attorney general may use monies in  
24 the consumer fraud revolving fund established by section 44-1501.01, Arizona  
25 Revised Statutes, for expenses associated with the tobacco master settlement  
26 arbitration."

27 Amend title to conform

RUSSELL K. PEARCE

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